IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

Bail Appl..No. 915 of 2007()

CRIME NO.360/06 OF VATTAPPARA POLICE STATION

: PETITIONER/3RD ACCUSED

SARATLAL N.T., AGED 20 YEARS,
LAL BHAVAN, VATTAKKARIKKAKOM, PANTHAKLACODE,
POWDIKONAM, THIRUVANANTHAPURAM.

BY ADV. SRI.SUMAN CHAKRAVARTHY

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 915 OF 2007

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DATED THIS THE 19th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 3rd accused in Crime No.360/06 of Vattappara Police Station for offences punishable under sections 109, 120B, 212, 449, 427, 307 and 302 read with section 34 IPC and section 27 of the Arms Act, 1959 seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that accused 1 to 7 including the petitioner had trespassed into the house of the deceased and had attacked him with sword and other deadly weapons resulting in his death.

3. It is too early to accept the petitioner's contention that he had only given a lift in his vehicle to the second accused without knowing about his complicity in the occurrence and that the petitioner's mother was hospitalised during the said period.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Investigating Officer for interrogation and seek regular bail thereafter. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 22.2.2007 and 24.2.2007 for the purpose of interrogation. The petitioner shall thereafter be

produced before the Magistrate concerned on the same day. The Magistrate shall consider and dispose of the application for regular bail, if any, filed by the petitioner, preferably on the same date on which it is filed.

V.RAMKUMAR, JUDGE

dsn